#### BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF STAR CANYON SCHOOL OF NURSING NURSING ASSISTANT PROGRAM NO. 7345

**ISSUED TO:** 

STAR CANYON SCHOOL OF NURSING 8900 N. CENTRAL AVENUE, SUITE 107 PHOENIX, AZ 85020

DECREE OF CENSURE
CONSENT AGREEMENT
AND
ORDER NO. 210601NA7345

### RESPONDENT

The Arizona State Board of Nursing ("Board") and Star Canyon School of Nursing CNA Program ("Respondent") seek to resolve allegations that Respondent violated the Nurse Practice Act. In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F)(5), the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

### **FINDINGS OF FACT**

- 1. Respondent holds Board-issued program approval for a Nursing Assistant program, operating in Phoenix, Arizona, receiving its original approval in 2008. Respondent's last program approval was on August 15, 2019.
- 2. Students in the cohort starting March 22, 2021, at Star Canyon School of Nursing, NA Program in Phoenix, AZ, stated that they were not given any notice in the paperwork,

contracts, syllabus, curriculum or admission material that Star Canyon School of Nursing, NA Program had a religious affiliation. Director/Instructor did not inform students of religious activities that would be required of them. Standard of practice requires that students be fully informed of the content of the program. Failure to fully disclose is fraudulent and misrepresents the program content according to R4-19-805(B)(9).

- 3. Students in the cohort at Star Canyon School of Nursing, NA Program, in Phoenix, Arizona, starting on March 22, 2021 were required to complete Google reviews online of the program before they were allowed to receive their completion certificates. Students perceived they were coerced to submit a Google review prior to completion of the program to receive their certificate. Adding additional completion requirements without approval of the AZBN is a violation of the Nurse Practice Act according to R4-19-805(B)(4).
- 4. During the cohort starting on March 22, 2021 at Star Canyon School of Nursing NA Program, in Phoenix, Arizona, Respondent's Director/Instructor behaved in a demeaning and unprofessional manner toward students spoke poorly of other students, berating students in front of peers, made students cry and would express her feelings openly, that they would fail. On 7/8/2021, Respondent's Director/Instructor also called Student 1 after receiving notice there was an investigation against her and the program, denying any of the allegations to Student 1 and then asking Student 1 to put in a good word for her. The standard of practice for nursing assistant educators requires professional interactions with students to support a positive and productive learning experience and environment. Unprofessional, demeaning communication, such as

speaking poorly to other students regarding a specific student and personal criticism results in emotional harm to students and an environment in which students do not feel comfortable asking questions and cannot learn due to unnecessary stress due to hostile and/or verbally abusive language. Respondent's conduct, through the Director/Instructor, violated the standard of professional practice according to R4-19-805(B)(1).

### **CONCLUSIONS OF LAW**

Pursuant to A.R.S. §§ 32-1606, 32-1644, 32-1663 and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute violations of A.R.S. § 32-1663 (D) as defined in correctly cited as § 32-1601(26) "Unprofessional conduct" includes the following whether occurring in this state or elsewhere: (d) Any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public and (j) Violating this chapter or a rule that is adopted by the board pursuant to this chapter (effective August 9, 2017); and currently cited as § R4-19-805. Deficiencies and Rescission of Program Approval, Unprofessional Program Conduct, Voluntary Termination, Disciplinary Action and Reinstatement B. Unprofessional program conduct A notice of deficiency or a disciplinary action including denial of approval or rescission of approval may be issued against a training program for any of the following acts of unprofessional conduct:

(1) Failing to maintain minimum standards of acceptable and prevailing educational practice, (4) Failing to follow the program's or parent institution's mission or goals, program design, objectives, or policies, (9) Engaging in fraud, misrepresentation or deceit in advertising,

recruiting, promoting or implementing the program, and (17) Engaging in retaliatory, threatening, or intimidating conduct toward current, prospective or former program students, instructors, other staff, or the public, who make complaints about any aspect of the program to program staff or the Board (effective September 8, 2014).

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. § 32-1664(O) to revoke, suspend or take other disciplinary action against Respondent's program approval to conduct a nursing program in the State of Arizona.

However, in lieu of a hearing, Respondent agrees to issuance of the following Order and waives all rights to a hearing, rehearing, appeal or judicial review relating to this matter. Respondent further waives any and all claims or causes of action, whether known or unknown, that Respondent may have against the State of Arizona, the Board, its members, officers, employees and/or agents arising out of this matter.

Respondent admits to the Board's Findings of Fact and Conclusions of Law.

Respondent understands that the admissions in the Findings of Fact are conclusive evidence of a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation has been either obtained or is waived.

Respondent understands that this Consent Agreement is effective upon its acceptance by the Board or its designee and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by Respondent, the Agreement cannot be withdrawn without the Board's approval

or by stipulation between Respondent and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by Respondent and accepted by the Board or its designee.

Respondent acknowledges and agrees that the acceptance of this Consent Agreement is solely to settle this Board matter and does not preclude the Board from instituting other proceedings as may be appropriate now or in the future.

Furthermore, and notwithstanding any language in this Consent Agreement, this Consent Agreement does not preclude in any way any other state agency or officer or political subdivision of this state from instituting proceedings, investigating claims, or taking legal action as may be appropriate now or in the future relating to this matter or other matters concerning Respondent, including but not limited to, violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other than with respect to the Board, this Consent Agreement makes no representations, implied or otherwise, about the views or intended actions of any other state agency or officer or political subdivision of the state relating to this matter or other matters concerning Respondent.

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Signature or Approved Respondent Representative Regina Ayodele, Star Canyon School of Nursing CNA Program

12/3/21
Date
Regina Ayodele RN( program coordinator )
Print the signer's name AND title

ARIZONA STATE BOARD OF NURSING



Joey Ridenour, R.N., M.N., F.A.A.N. Executive Director

	12/21/2021		
Dated:			



JR/CG:yf

## **ORDER**

In view of the above the Findings of Fact, Conclusions of Law, and the consent of Respondent, the Board hereby issues the following Order:

A.	Respondent's consent to the terms and conditions of this Order and waive
of hearing	is accepted.

B. It is ordered that a DECREE OF CENSURE be entered against program approval no. 7345, held by Respondent.

Board Date: September 24, 2021

ARIZONA STATE BOARD OF NURSING

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Joey Ridenour, R.N., M.N., F.A.A.N. Executive Director

Dated: 12/21/2021



JR/CG:yf

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Transmitted this 24th day of November, 2021, via Adobe Sign to: Regina Ayodele, Star Canyon School of Nursing CNA Program: regina.ayodele@gmail.com Also sent via US Mail and US Certified Mail (70201290000139947499) to: Star Canyon School of Nursing CNA Program 8900 N. Central Ave., Suite 107 Phoenix, AZ 85020 Retransmitted due to clerical error this 2nd day of December, 2021, via Adobe Sign to: Regina Ayodele, Star Canyon School of Nursing CNA Program: regina.ayodele@gmail.com By: Yvette Faulkner, Legal Secretary Fully Executed copy sent this \_\_\_\_\_ day of \_\_\_\_\_\_, via Adobe Sign to: Regina Ayodele, Star Canyon School of Nursing CNA Program: regina.ayodele@gmail.com Also sent via US Mail  $\underline{and}$  US Certified Mail (  $^{7020\,1290\,0001\,3994\,6799}$ Star Canyon School of Nursing CNA Program 8900 N. Central Ave., Suite 107 Phoenix, AZ 85020 Signed in the Board Office on \_\_\_\_\_ By: Yvette Faulkner, Legal Secretary Cover Letter Attached

Doug Ducey
Governor



Joey Ridenour
Executive Director

# Arizona State Board of Nursing

1740 W. Adams Street, Suite 2000, Phoenix, AZ 85007 Phone (602) 771-7800 | www.azbn.gov

December 22, 2021

Regina Ayodele Star Canyon School of Nursing 8900 N. Central Avenue, Suite 107 Phoenix, AZ 85020

Sent Via Adobe Sign via email address: regina.ayodele@gmail.com

Re: Consent Agreement for Decree of Censure Order Number #210601NA7345

Dear Regina Ayodele:

On September 24, 2021 the Arizona State Board of Nursing, in open meeting, reviewed the complaint submitted against the Star Canyon School of Nursing, Nursing Assistant Program. After careful consideration of all facts presented, the Board voted to offer the program a Consent Agreement for Decree of Censure.

Please see the duly signed copy of the Consent Agreement for Decree of Censure. The effective date of this order is: 12/21/2021. As a courtesy I have outlined the following for you to be aware of:

- Within seven days of the effective date of this Order, the Board shall note the approval status of the program on the list of approved programs with the following notation: "Full Decree of Censure." Additionally the Board shall provide public access to this order through its website.
- Per ARS§ 32-3214(B) After January 1, 2018, if a health profession regulatory board issues a final nondisciplinary order or action, the record of the final nondisciplinary order or action shall be made available on the Board's website for five years. Letters of Concern and advisory letters may not be made available on the website but a copy of such letters are available to the public pursuant to section 39-121 and shall be provided to any person on request.
- Per ARS§ 32-3214(C) If a health profession regulatory board maintains a website, the board must display on its website a statement that a person may obtain additional public records related to any licensee or certificate holder, including dismissed complaints and nondisciplinary actions and orders, by contacting the board directly.

Should you have any questions or concerns regarding this Consent Agreement please contact me at (602) 771-7803 or kmalloch@azbn.gov or you may contact Cindy George at (602) 771-7857 or cgeorge@azbn.gov.

Sincerely,

Kachy Maclock, PhD MBA RN FAAN

Kathy Malloch, PhD, MBA, RN, FAAN Associate Director of Education and Evidence Based Regulation